

DOCKET NO.: COLB-0083

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Shimon Gruper et al.

Serial No.: 08/937,883

Group No.: **2785**

Filed: September 25, 1997

Examiner: Not Yet Assigned

For: **Software Application Environment**

I, Lawrence A. Aaronson, Registration No. 38,369 certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

On: May 20, 1998

Lawrence A. Aaronson Reg. No. 38,369

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GROUP 2700

Assistant Commissioner for Patents
Washington DC 20231

Sir:

**DECLARATION BY ATTORNEY IN SUPPORT OF PETITION TO MAKE SPECIAL
BECAUSE OF ACTUAL INFRINGEMENT UNDER 37 CFR 1.102 AND MPEP § 708.02**

I, Lawrence Aaronson, Registration No. 38,369, of Woodcock Washburn Kurtz Mackiewicz & Norris LLP, One Liberty Place, 46th Floor, Philadelphia, PA 19103, am the attorney for the applicant in this case and make the following declarations:

1. I have made a rigid comparison of the alleged infringing

X device

X product

— method

referred to in the accompanying documentation entitled "Secure4U Overview" found on the Internet at <http://www.acrmain.com/Products/Secure4U/overview.htm>. As described in the documentation, Secure4U prevents hostile applets (e.g., ActiveX, Java and other executable code) from accessing computer resources by building a closed environment (sandbox) around a web browser. According to the documentation, by building a sandbox, all accesses of the web browser to system resources, such as device drivers, the registry database and the file system are shielded and monitored to protect the privacy and integrity of the system. Other applications running on the computer are unaffected by Secure4U. Further, according to the documentation, Secure4U checks all incoming and outgoing HTTP commands for compliance with its configuration. Secure4U additionally is described as protecting against unwanted access to Telnet and Email ports.

2. That, in my opinion, at least independent claims 1-3, 8, 9, 13-17 on file in this application are unquestionably infringed.

Each of claims 1-3, 8, 15-16 are generally directed to an apparatus to protect the integrity of a computer that identifies areas of the computer to which the application has access and prohibits access to areas of the computer to which the application is not authorized to access. Claim 9 is directed to prevent unauthorized data from being sent to the protected network. Claims 13-14, 17 and 18 are directed to protecting the integrity of a computer by controlling the access

authorization of programs called by other programs within the computer system. Access authorization to the various protected areas of the computer is on an application-specific basis, i.e., authorization is set based on the application running on the computer.

3. I

- have made a search of
- have caused to be made a search of
- have a knowledge of

the pertinent prior art. In particular, a search of DIALOG® File 351 (Derwent World Patents Index) was conducted utilizing various combinations of keywords. The keywords included, *inter alia*: software, file access, protect, infect, virus, storage, control, eliminate, trap, detect, valid, damage, boot, program, disc, verification, integrity, and EEPROM has been performed. All such material art is provided to the Examiner as

- having been filed
- being supplemented
- being filed

in a respective Information Disclosure Statement.

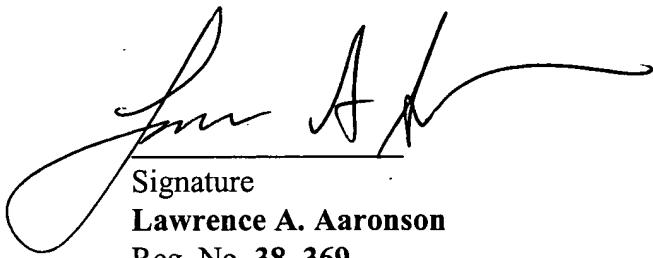
4. That I believe all the claims in this application

- as on file

— as on file resulting from the attached amendment
are allowable as none of the references noted in the attached Information Disclosure Statement discloses the claimed feature of controlling access to a computer system in accordance with an application running on the computer system. That is, none of the references teaches controlling access to the computer based on the applications themselves.

5. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: May 20, 1998



Signature
Lawrence A. Aaronson
Reg. No. 38,369